

SCHEDULE

Taluk : Bahour

Number and Name of Revenue Village : 63-Embalam.

Sl. No.	Re-survey No.	Nature of land	Name of the land-owners/ interested persons	Extent to be acquired		
(1)	(2)	(3)	(4)	(5)		
				H.	A.	Ca.
1	245/3B	Dry	Thiru/Tmt./Selvi : 1. Kuppammal, W/o. Rangasamy; 2. Lakshmanan, S/o. Ramasamy.	0	02	07
2	245/6B	Dry	1. Pandurangan, S/o. Narasiman; 2. Lakshminarayanan, S/o. Konda Reddiar; 3. Kalamurthy, S/o. Kanagasabai.	0	08	43
Total . .				0	10	50

(By order of the Lieutenant-Governor)

G. RAGESH CHANDRA,
Special Secretary to Government.

GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT

(G.O. Rt. No. 140/AIL/Lab./J/2010, dated 29th June 2010)

NOTIFICATION

Whereas, the Award in I.D. No.7/2008, dated 4-3-2010 of the Labour Court, Puducherry in respect of the industrial dispute between the management of M/s. Coastal Chemicals and Centre of Indian Trade Union (CITU) over non-employment of Thiru Arunagiri has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read with the notification issued in Labour Department's G.O. Ms. No. 20/91/Lab./L, dated 23-5-1991, it is hereby directed by Secretary to Government (Labour) that the said Award shall be published in the official gazette, Puducherry.

(By order)

G. MALAR KANNAN,
Joint Secretary to Government (Labour).

**BEFORE THE LABOUR COURT (II ADDITIONAL
DISTRICT JUDGE) AT PONDICHERRY**

Present : Thiru E.M.K.S. SIDDHARTHAR, M.A., B.L.,
II Additional District Judge,
Presiding Officer, Labour Court,
Pondicherry.

Thursday, the 4th day of March 2010.

I.D. No. 7/2008.

The Joint Secretary,
Centre of Indian Trade Union(CITU),
No. 42, Cuddalore Road,
Bharathi Mill Thittu,
Mudaliarpur, Puducherry. . . Petitioner.

Versus

The Managing Director,
M/s. Coastal Chemicals,
Koodapakkam Road,
Villianur, Puducherry. . . Respondent.

This industrial dispute coming on this day for hearing before me, the petitioner called absent, Thiru Rajesh Krishna, Advocate for the respondent, and after perusing the case records, this court passed the following:

ORDER

This industrial dispute has been referred to this court by the Government of Pondicherry, *vide* G. O. Rt. No. 61/AIL/Lab./J/2008, dated 25-3-2008 of the Labour Department, Pondicherry to resolve the following disputes:

(a) Whether the dispute raised by Centre of Indian Trade Union (CITU) against the management of M/s. Coastal Chemicals, Puducherry over non-employment of Thiru Arunagiri is justified or not?

(b) To what relief, he is entitled to?

(c) To compute the relief, if any, awarded in terms of money, if it can be so computed?

2. The industrial dispute was taken on file on 28-3-2008 and notice was ordered to both parties. On 28-4-2008 the petitioner was called absent and the case was posted to 24-7-2008 for appearance of the petitioner and for filing of Form-F for the respondent. Thereafter, the case was adjourned to 19 (nineteen) hearings on the following dates: 24-9-2008, 28-11-2008, 22-1-2009, 26-2-2009, 2-4-2009, 4-6-2009, 2-7-2009 for appearance of the petitioner and for Form-F for the respondent. On 20-8-2009, Form-F for the respondent was filed and the case was posted for appearance of the petitioner to 17-9-2009, 5-11-2009, 12-11-2009, 26-11-2009, 10-12-2009, 17-12-2009, 21-1-2010, 4-2-2010 and for dismissal to 18-2-2010, 25-2-2010 and 4-3-2010. Unfortunately the petitioner claims to have been victimised by the respondent company, but the petitioner shows no interest in proceeding with the case and has not appeared before court till now. On the other hand he has exceeded the time limit stipulated under the Industrial Disputes Act. The industrial dispute is pending for 1 year 11 months (one year and eleven months) from 28-3-2008 to 4-3-2010. Despite sufficient opportunities given, the petitioner did not choose to appear before court. This shows that the petitioner would have got employment in some other company and hence has lost interest in the matter. Further, the Industrial Disputes Act, requires that a dispute should be resolved within 6 months (six months). Hence this court finds that there is no point in having the case pending on file and the industrial dispute is liable to be dismissed.

3. In the result, the industrial dispute is dismissed.

Typed to my dictation, corrected and pronounced by me in the open court on this the 4th day of March 2010.

E.M.K.S. SIDDHARTHAR,
II Additional District Judge,
Presiding Officer,
Labour Court, Pondicherry.

**GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT**

(G.O. Rt. No. 141/AIL/Lab./J/2010, dated 1st July 2010)

NOTIFICATION

Whereas, the Award in I.D. No.15/2009, dated 22-4-2010 of the Labour Court, Puducherry in respect of the industrial dispute between the management of M/s. Shasun Chemicals and Drugs Limited, Puducherry and Shasun Chemicals and Drugs Thozhilalar Munnetra

Peravai (LPF Workers Union) and Shasun Chemicals and Drugs Paniyalargal (Staff's) Munnetra Peravai (LPF Staff Union) over non-payment of production incentive on the basis of over and above 400 tons of production had been received ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read with the notification issued in Labour Department's G.O. Ms. No. 20/91/Lab./L, dated 23-5-1991, it is hereby directed by Secretary to Government (Labour) that the said Award shall be published in the official gazette, Puducherry.

(By order)

G. MALAR KANNAN,
Joint Secretary to Government (Labour).

BEFORE THE LABOUR COURT AT PONDICHERRY

Present : Thiru E.M.K.S. SIDDHARTHAR, M.A., B.L.,
II Additional District Judge,
Presiding Officer, Labour Court,
Pondicherry.

Thursday, the 22nd day of April 2010

I.D. No. 15/2009

1. The President,
Shasun Chemicals and Drugs
Thozhilalar Munnetra Peravai
(LPF Workers Union).
2. The President,
Shasun Chemicals and Drugs
Paniyalargal Munnetra Peravai,
(LPF Staff Union) . . . Petitioners.

Versus

The Managing Director,
Shasun Chemicals and Drugs Limited,
Periyakalapet, Pondicherry . . . Respondent.

This industrial dispute coming on this day for hearing before me in the presence of the petitioner, who appeared in person, Thiruvalargal K. Babu and C. Arivajagane, counsels for the respondent, upon perusing the case records, this court passed the following :

AWARD

This industrial dispute arises out of the reference made by the Labour Department, Government of Pondicherry *vide* G. O. Rt. No.107/AIL/Lab./J/2009, dated 8-7-2009 for adjudication of the following industrial dispute :—

(a) Whether the dispute raised by the unions *viz.*,
 1. Shasun Chemicals and Drugs Thozhilalar Munnetra Peravai (LPF Workers Union) and
 2. Shasun Chemicals and Drugs Paniyalargal (Staff) Munnetra Peravai (LPF Staff Union) against the management of M/s. Shasun Chemicals and Drugs Limited, Puducherry over non-payment of production incentive on the basis of over and above 400 tons of production is justified or not ?

(b) If justified, to what relief, the workers are entitled to ?

(c) To compute the relief, if any, awarded in terms of money, if it can be so computed ?

2. When the matter came up for enquiry on 14-8-2009, both the petitioners were present. Then the matter was posted to 8-10-2009 for filing of the claim statement by the petitioners. The matter was periodically posted for filing the claim statement to 22-10-2009, 26-11-2009, 10-12-2009, 17-12-2009, 7-1-2009, 21-2-2010, 4-2-2010, 25-2-2010, 4-3-2010, 18-3-2010, 25-3-2010, 8-4-2010, 15-4-2010. In spite of repeated opportunities given to the petitioners, they have not filed the claim statement so far. The matter is pending from 2009 for filing the claim statement without any progress. Hence, this court comes to the conclusion that the petitioners have no interest in proceeding with the case.

3. Therefore, the industrial dispute is dismissed.

Typed to my dictation, corrected and pronounced by me in the open court on this the 22nd day of April 2010.

E.M.K.S. SIDDHARTHAR,
 II Additional District Judge,
 Presiding Officer,
 Labour Court, Pondicherry.

GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT

(G.O. Rt. No. 142/AIL/Lab./J/2010, dated 1st July 2010)

NOTIFICATION

Whereas, the Award in I.D. No.1/2008, dated 11-3-2010 of the Labour Court, Puducherry in respect of the industrial dispute between the management of M/s. Hindustan Lever Limited (Detergent Division) and Thiru A. Munusamy and 7 others *viz.*, 2. R. Ramamurthy, 3. P. Kandipan, 4. J. Selvam, 5. C. Balaraman, 6. K. Nagamuthu, 7. V. Sakthivel and 8. N. Sundararaj has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read with the notification issued in Labour Department's G.O. Ms. No. 20/91/Lab./L, dated 23-5-1991, it is hereby directed by Secretary to Government (Labour) that the said Award shall be published in the official gazette, Puducherry.

(By order)

G. MALAR KANNAN,
 Joint Secretary to Government (Labour)

BEFORE THE LABOUR COURT (II ADDITIONAL DISTRICT JUDGE) AT PONDICHERRY

Present : Thiru E.M.K.S. SIDDHARTHAR, M.A., B.L.,
 II Additional District Judge,
 Presiding Officer, Labour Court,
 Pondicherry.

Thursday, the 11th day of March 2010.

I.D. No. 1/2008

1. A. Munusamy
 2. R. Ramamurthy
 3. P. Kandipan
 4. J. Selvam
 5. C. Balaraman
 6. K. Nagamuthu
 7. V. Sakthivel
 8. N. Sundararaj
- .. Petitioners.

Versus

The Managing Director,
 M/s. Hindustan Lever Limited,
 (Soap Factory), Vadamangalam

.. Respondent.

This industrial dispute coming on this day for hearing before me, the petitioners called absent, with no representations on both sides and after perusing the case records, this court passed the following :

ORDER

This industrial dispute has been referred to this court by the Government of Pondicherry, *vide* G.O. Rt. No. 169/2007/Lab./AIL/J, dated 31-12-2007 of the Labour Department, Pondicherry to resolve the following disputes:

(a) Whether the claim of Thiruvallargal A. Munusamy and 7 others *viz.*, (1) R. Ramamurthy (2) P. Kandipan (3) J. Selvam (4) C. Balaraman (5) K. Nagamuthu (6) V. Sakthivel (7) N. Sundararaj that the labour contract of Thiru K. Kumar in the establishment of M/s. Hindustan Lever Limited (Detergent Division), Puducherry is a sham is correct?

(b) If so, to give appropriate directions?

2. The industrial dispute was taken on file on 4-1-2008. Notice was ordered to both parties on 4-1-2008 and 1-2-2008. No representation was made on either side and so the case was posted to 20-3-2008. Thereafter, the case was adjourned for about 20 (twenty) hearings on the following dates : 5-6-2008, 31-7-2008, 22-9-2008, 19-11-2008, 11-12-2008, 22-1-2009, 26-2-2009, 9-4-2009, 4-6-2009, 2-7-2009, 20-8-2009, 17-9-2009, 5-11-2009, 19-11-2009, 17-12-2009, 21-1-2010 for claim statement and on 4-2-2010, 18-2-2010, 25-2-2010, 4-3-2010 for dismissal. Unfortunately the petitioners are labourers, who claim to have been victimised by the respondent company, but the petitioners show no interest in proceeding with the case and claim statement has not been filed till now. On the other hand they have exceeded the time limit stipulated under the Industrial Disputes Act. The industrial dispute is pending for 2 years and 2 months (two years and two months) from 4-1-2008 to 11-3-2010. Despite sufficient opportunities given, claim statement has not been filed. This shows that the petitioners would have got employment in some other company and hence has lost interest in the matter. Further, the Industrial Disputes Act, requires that a dispute should be resolved within 6 months (six months). Hence this court finds that there is no point in having the case pending on file and the industrial dispute is liable to be dismissed.

3. In the result, the industrial dispute is dismissed.

Typed to my dictation, corrected and pronounced by me in the open court on this the 11th day of March 2010.

E.M.K.S. SIDDHARTHAR,
II Additional District Judge,
Presiding Officer,
Labour Court, Pondicherry.

GOVERNMENT OF PUDUCHERRY

LABOUR DEPARTMENT

(G.O. Rt. No. 143/AIL/Lab./J/2010, dated 1st July 2010)

NOTIFICATION

Whereas, the Award in I.D. No.6/2008, dated 16-4-2010 of the Labour Court, Puducherry in respect of the industrial dispute between the management of M/s. Sri Bharathi Mills, Puducherry and Sri Bharathi Mills Thozhilalar Urimai Padukappu Sangam over non-employment of V. Vasanthi, W/o. V. Vijayakumar has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read

with the notification issued in Labour Department's G.O. Ms. No. 20/91/Lab./L, dated 23-5-1991, it is hereby directed by Secretary to Government (Labour) that the said Award shall be published in the official gazette, Puducherry.

(By order)

G. MALAR KANNAN,
Joint Secretary to Government (Labour).

BEFORE THE LABOUR COURT AT PONDICHERRY

Present : Thiru E.M.K.S. SIDDHARTHAR, M.A., B.L.,
II Additional District Judge,
Presiding Officer, Labour Court,
Pondicherry.

Friday, the 16th day of April 2010.

I.D. No. 6/2008

The President,
Sri Bharathi Mills Pondicherry Thozhilalar
Urimai Padukappu Sangam,
Pondicherry . . . Petitioner.
Versus

The General Manager,
Sri Bharathi Mills, PTC,
Government of Pondicherry,
Pondicherry . . . Respondent.

This industrial dispute coming on 25-3-2010 for final hearing before me in the presence of M/s. S. Lalitha, Advocate for the petitioner, Mrs. V. Usha, Advocate for the respondent, upon hearing both sides, upon perusing the case records, after having stood over for consideration till this day, this court passed the following:

AWARD

This industrial dispute arises out of the reference made by the Labour Department, Government of Pondicherry *vide* G.O. Rt. No.43/AIL/Lab./J/2008, dated 12-3-2009 for adjudicating the following:—

(a) Whether the dispute raised by Sri Bharathi Mills Thozhilalar Urimai Padukappu Sangam against the management of M/s. Sri Bharathi Mills, Puducherry over non-employment of Tmt. V. Vasanthi, W/o. V. Vijayakumar is justified or not?

(b) To what relief, she is entitled to?

(c) To compute the relief, if any, awarded in terms of money, if it can be so computed?

2. The petitioner, in her claim statement, has averred as follows:

One employee by name Vasanthi was working in the respondent management for the past five years, who joined in the company on 31-6-1999 in the category of cleaning for the wages at Rs.70 per day. The said Vasanthi was continuously working for 240 days in each and every year for the past five years. Though the employee was working continuously for past two years in the same category from the date of joining for 480 days, the management is liable to make the employee regularisation in daily allowances as permanent employee according to Industrial Disputes Act. But the respondent management failed to make such privilege for the employee. The said Vasanthi continued her job in the same category and in the same daily wages for five years from the date of joining up to 1-1-2004.

The said Vasanthi was basically an illiterate and was not aware of the benefits and continued her job for the past five years. Later on when the employee came to know about her permanent employment and other privileges, she approached the respondent management for regularisation of her job with all the benefits by orally. The respondent management promised the employee to make her permanent with all her benefits according to the Industrial Disputes Act. The respondent management continued keep on tell orally, but did not kept his promise and failed to follow the Industrial Disputes Act.

On 1-1-2004 as usual the said Vasanthi went to her job, the respondent management without any prior notice and with no valid reason, orally stated that she is dismissed from the employment management and also stated that she will be called by the management after some day for the employment. Believing the oral words of the respondent management, the employee was waiting for her job from 1-1-2004 to 10-9-2006. But no answer was given by the respondent management.

In the meanwhile the National Textile Corporation (NTC) was taken over as Pondicherry Textile Corporation (PTC) on 1-4-2005. In such period, the respondent management has given employment for 70 employees, who worked in different management in different category and they were voluntary retirement scheme who was above the age of 50 years. But the said Vasanthi was not called for the job by the respondent. Hence, this industrial dispute is filed to reinstate the petitioner with full back wages, continuity of services and all other attendant benefits.

3. In the counter statement filed by the respondent, it is denied that the petitioner workman was working in the respondent management for the past five years in the category of cleaning at Rs.70 per day. It is also denied that the said Vasanthi was working continuously for 240 days in each and every year for the past five years.

The said Vasanthi was a gate casual in the sense that she would be coming and waiting before the mills entrance everyday. As and when there was requirement in the mills due to leave and absenteeism of regular worker, she was called to work in places where she knew the work. Hence, she was not employed regularly and also in any one regular place/category.

As the respondent mills decided to reduce production activities, the gate casuals numbering 47 was stopped and she was one among them. Further when the said Vasanthi was taken as gate casual on 1-4-2001, she was taken only as a trainee and was paid at Rs.40 per day and subsequently she was paid at Rs.70 per day. Only on humanitarian ground, the said Vasanthi was permitted to be covered under the provisions of ESI Act but it does not mean that she was appointed as a regular worker of the mills to be attracted by the provisions of Industrial Disputes Act. Further since there was ban on recruitment in the mills as per the directions received from the Government of India, there was no recruitment at all in the mills. Hence, he prays for dismissal of the industrial dispute.

4. No oral evidence was adduced on the side of the petitioner and the respondent. On the side of the petitioner, Exs.P1 to P10 were marked. On the side of the respondent, Exs.R1 to R3 were marked.

5. *The point for determination is:*

Whether the petitioner workman by name Vasanthi can be considered for reinstatement in service with accrued benefits?

6. *On the point:*

This industrial dispute is filed by the petitioner for reinstatement of one Vasanthi in service. The contention of the petitioner is that the said Vasanthi employed as Daily Wages in the respondent management for the past five years in the category of cleaning for the wages of Rs.70 per day. The petitioner further contended that the said Vasanthi was working continuously for 240 days in each and every year for the past five years. But on the side of the petitioner, no document was filed to prove that the said Vasanthi was working in the

respondent mills for past five years. However, the petitioner has marked the ESI slips as Ex.P6 to Ex.P10. Ex.P6 would reveal that the said Vasanthi was a member in ESI from 3-5-2001. Hence, the petitioner workman has clearly proved that she was an employee in the respondent mill prior to 2001 and non-production of the appointment order is not fatal to her case.

7. On the side of the respondent it is contended that the said Vasanthi was a gate casual in the sense that she would be coming and waiting before the mills entrance everyday. As and when there was requirement in the mills due to leave and absenteeism of regular worker, she was called to work in places where she knew the work. Hence, she was not employed regularly and also in any one regular place/category.

8. On the side of the respondent, letter sent by the petitioner to the respondent mill was marked as Ex.R2. Ex.R2 would reveal that the petitioner requested the respondent mill for a job and based on Ex.R2, the petitioner was engaged as a trainee by the respondent mill. When the respondent management having extracted work from the petitioner as trainee on par with regular workers, took a plea as though she was a gate casual and abruptly made her to face non-employment, is not accepted as which is against the labour law.

9. Further contention of the respondent is as the respondent mills decided to reduce production activities, the gate casuals numbering 47 was stopped and she was one among them. To prove their contention, the respondent has marked the Termination Order, dated 30-12-2003 issued by the respondent mill as Ex.R1. The relevant portion of Ex.R1 runs as follows:—

“Please note that the following gate casuals/trainees may be stopped for work with effect from 1-1-2004. From 1-1-2004 onwards, they should not be given for work. This order may be followed strictly without any deviation:

	No.	Department
1. Manivannan	755	SPN
2. Paranjothi	811	,,
3. Harikrishnan	723	,,
4. Perumal	719	,,
5. Subramanian	807	,,
6. Anbalagan	744	CW

	No.	Department
7. Chandra Mohan	773	FWN
8. Pavadai	784	,,
9. Dharmaraj	815	,,
10. Elumalai	800	PRO
11. Rasukannu	836	,,
12. Veerappan	740	SPN
13. K.A. Ravi	832	,,
14. Tamil Anban	771	CW
15. Sivaperumal	690	ENG/BOIL
16. Rajendran	548	WW
17. P. Ganesan	840	SPN
18. Thirumoorthy	704	,,
19. Ruthra Ganapathy	841	,,
20. Krishnamoorthy	725	,,
21. Nagappan	776	SPN
22. Gurusamy	837	,,
23. Vasanthi	752	SPN
24. Ragupathi	738	,,
25. Ugee Balan	742	,,
26. Selvarani	754	,,
27. Mugundan	770	,,
28. Rajasekar	721	,,
29. Sugumar	727	,,
30. Raju	729	,,
31. Venkat	720	,,
32. Selvi	722	,,
33. Arulraj	734	,,
34. Rajendiran	780	,,
35. Nagammal	758	CW
36. Chandra	760	,,
37. Indira Gandhi	761	,,
38. Boopathi	766	,,
39. Tamil Maran	829	,,
40. Kannan	525	ENG
41. Mannankatti	527	,,
42. Murugaiyan	689	,,
43. P. Vadivelu	834	,,
44. Ramesh	667	WW
45. Dhandapani	751	SPN
46. Prakash	826	,,
47. Pachaiyappan	823	PPO”.

Ex.R1 would reveal that all the above employees have been allotted token number and the name of the department, in which they were working is mentioned. Further there is no mention about the name of the officers, who signed the said notice and their designation. When the respondent mill is decided to stop the work for 47 employees, it is their duty to intimate the same by sending prior notice to them. But without following the labour laws, the respondent mill has simply terminated the service of 47 employees by way of Ex.R1, which cannot be accepted.

8. The petitioner has contended that the said Vasanthi was working continuously for 240 days in each and every year for the past five years. On the other hand, the respondent denied the same and has stated that the petitioner workman was a gate casual. On the side of the respondent, the acquittance roll for the period from 1-5-2001 to 15-5-2001, 15-8-2001 to 31-8-2001, 1-12-2001 to 15-12-2001, 1-5-2002 to 15-5-2002, 1-6-2002 to 15-6-2002 and 1-1-2003 to 15-1-2003 was marked as Ex.R2. Perusal of Ex.R2 would reveal that the petitioner was working in all the above periods. But without producing the other periods of acquittance roll, we cannot come to the conclusion that the petitioner was working less than 240 days in a year. Therefore, Ex.R2 cannot be taken into consideration.

9. On the side of the petitioner, the letters sent by the petitioner were marked as Ex.P1 and Ex.P3, requesting the respondent mill to accommodate her as an employee, which was refused by the respondent mill *vide* letter, dated 26-3-2007. As per the petitioner, she is a widow and is having two daughters. Considering the family condition of the petitioner, the respondent mill should have considered her request on a humanitarian ground and engaged her in their mill. Further, when the petitioner workman was working in the respondent company for more than three years without any interruption, it was necessary to have given opportunity to the petitioner workman before terminating her from service. Neither no such opportunity was given to the petitioner workman, nor principles of natural justice have been complied with. Therefore, the termination of service of the petitioner workman namely Vasanthi was bad. But considering the facts and circumstances of the case, the said Vasanthi is not entitled to get the back wages and other benefits. Considering the fact that the said Vasanthi is a widow and is having two daughters, she shall be given the total arrears of payment at Rs.50,000. Accordingly, this point is answered.

10. In the result, the industrial dispute is partly allowed and the award is passed to the effect that the non-employment of the petitioner workman namely

Vasanthi and her dismissal from service are unjustified and are illegal and therefore it is hereby *set aside*. The respondent mill shall reinstate the said Vasanthi immediately with continuity of service. The respondent management is also hereby directed to pay a sum of Rs.50,000 towards total arrears of payment. However in the circumstances of the case, there is no order as to costs.

Typed to my dictation, corrected and pronounced by me in the open court on this the 16th day of April, 2010.

E.M.K.S. SIDDHARTHAR,
II Additional District Judge,
Presiding Officer,
Labour Court, Pondicherry.

List of witnesses examined for the petitioner : Nil

List of witnesses examined for the respondent: Nil

List of exhibits marked for the petitioner:

- Ex.P1— Copy of the letter, dated 11-9-2006 sent by the petitioner's union to the Labour Officer (Conciliation).
- Ex.P2— Copy of the letter, dated 26-3-2007 sent by the respondent to the Labour Officer (Conciliation).
- Ex.P3— Letter, dated 5-5-2007 sent by the petitioner's union to the Labour Officer.
- Ex.P4— Copy of the letter, dated 15-2-2008 sent to the Secretary to Government (Labour).
- Ex.P5— Copy of the notification, dated 12-3-2008.
- Ex.P6— Copy of the ESI slip.
- Ex.P7— Copy of the ESI slip.
- Ex.P8— Copy of the ESI slip.
- Ex.P9— Copy of the ESI slip.
- Ex.P10— Copy of the ESI slip.

List of exhibits marked for the respondent:

- Ex.R1— Copy of notice, dated 30-12-2003 issued by the respondent mill, terminating the petitioner and other workers.
- Ex.R2— Letter, dated 20-2-2001 sent by the petitioner to the respondent mill.
- Ex.R3— Copy of the acquittance.

E.M.K.S. SIDDHARTHAR,
II Additional District Judge,
Presiding Officer,
Labour Court, Pondicherry.

GOVERNMENT OF PUDUCHERRY

LABOUR DEPARTMENT

(G.O. Rt. No. 144/AIL/Lab./J/2010, dated 5th July 2010)

NOTIFICATION

Whereas, the Award in I. D. No. 22/2008, dated 15-4-2010 of the Labour Court, Puducherry in respect of the industrial dispute between the management of M/s. Chemfab Alkalies Limited, Puducherry and Thiru T. Panneerselvam over non-employment has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read with the notification issued in Labour Department's G. O. Ms. No. 20/91/Lab./L, dated 23-5-1991, it is hereby directed by Secretary to Government (Labour) that the said Award shall be published in the official gazette, Puducherry;

(By order)

G. MALAR KANNAN,

Joint Secretary to Government (Labour).

BEFORE THE LABOUR COURT (II ADDITIONAL DISTRICT JUDGE) AT PONDICHERRY

Present : Thiru E.M.K.S. SIDDHARTHAR, M.A., B.L.,
II Additional District Judge,
Presiding Officer, Labour Court,
Pondicherry.

Thursday, the 15th day of April 2010

I.D. No. 22/2008

T. Panneerselvam . . . Petitioner.

Versus

The Managing Director,
M/s. Chemfab Alkalies Limited,
Gananandha Place, Kalapet,
Puducherry . . . Respondent.

This industrial dispute coming on this day for hearing before me, the petitioner called absent without any representation, though his counsel B. Mohandass is on record, Thiru G. Krishnan, Advocate for the respondent, and after perusing the case records, this court passed the following:

ORDER

This industrial dispute has been referred to this court by the Government of Pondicherry, *vide* G. O. Rt. No. 101/AIL/Lab./J/2008, dated 19-6-2008 of the Labour Department, Pondicherry to resolve the following disputes:

(a) Whether the dispute raised by Thiru T. Panneerselvam against the management of M/s. Chemfab Alkalies Limited, Puducherry over his non-employment is justified or not?

(b) To what relief, Thiru T. Panneerselvam is entitled to?

(c) To compute the relief, if any, awarded in terms of money, if it can be so computed?

2. The industrial dispute was taken on file on 23-6-2008 and notice was ordered to both parties. Form-F for the petitioner and respondent was filed on 25-7-2008 and the case was posted to 25-9-2008 for filing of claim statement. Thereafter, the case had been adjourned to 20 (twenty hearings) on the following dates: 25-9-2008, 3-12-2008, 29-1-2009, 5-2-2009, 19-3-2009, 30-4-2009, 16-7-2009, 23-7-2009, 6-8-2009, 10-9-2009, 22-10-2009, 12-11-2009, 3-12-2009, 7-1-2010, 21-1-2010, 4-2-2010, 25-2-2010, 25-3-2010 for filing of claim statement and to 8-4-2010 and 15-4-2010 for dismissal. Unfortunately the petitioner is a labour who claims to have been victimised by the respondent company, but the petitioner shows no interest in proceeding with the case and has not appeared before court till now. On the other hand he has exceeded the time limit stipulated under the Industrial Disputes Act. The industrial dispute is pending for 1 year 9½ months (one year and nine and a half months) from 23-6-2008 to 15-4-2010. Despite sufficient opportunities given, the petitioner did not choose to appear before court and file his claim statement. This shows that the petitioner would have got employment in some other company and hence has lost interest in the matter. Further, the Industrial Disputes Act, requires that a dispute should be resolved within 6 months (six months). Hence this court finds that there is no point in having the case pending on file and the industrial dispute is liable to be dismissed.

3. In the result, the industrial dispute is dismissed.

Typed to my dictation, corrected and pronounced by me in the open court on this the 15th day of April 2010.

E.M.K.S. SIDDHARTHAR,
II Additional District Judge,
Presiding Officer,
Labour Court, Pondicherry.

GOVERNMENT OF PUDUCHERRY

LABOUR DEPARTMENT

(G.O. Rt. No. 145/AIL/Lab./J/2010, dated 5th July 2010)

NOTIFICATION

Whereas, the Award in I.D. No.37/2007, dated 11-3-2010 of the Labour Court, Puducherry in respect of the industrial dispute between the management of

M/s. Superfill Products Limited, Mangalam, Puducherry and Thiru S. Selvam over non-employment has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read with the notification issued in Labour Department's G. O. Ms. No. 20/91/Lab./L, dated 23-5-1991, it is hereby directed by Secretary to Government (Labour) that the said Award shall be published in the official gazette, Puducherry.

(By order)

G. MALAR KANNAN,
Joint Secretary to Government (Labour).

BEFORE THE LABOUR COURT (II ADDITIONAL DISTRICT JUDGE) AT PONDICHERY

Present : Thiru E.M.K.S. SIDDHARTHAR, M.A., B.L.,
II Additional District Judge,
Presiding Officer, Labour Court,
Pondicherry.

Thursday, the 11th day of March 2010

I.D. No. 37/2007

S. Selvam . . . Petitioner.
Versus

The Managing Director,
M/s. Superfill Products Limited,
Villianur, Puducherry . . . Respondent.

This industrial dispute coming on this day for hearing before me the petitioner and his counsels Thiruvalargal P. Manivannan and M. Devasundari called absent, in the presence of Thiruvalargal R. Ilancheliyan and R. Thilagavathi counsels for the respondent, upon hearing and after perusing the case records, this court passed the following :

ORDER

This industrial dispute has been referred to this court by the Government of Pondicherry, *vide* G. O. Rt. No. 160/Lab./AIL/J/2007, dated 3-12-2007 of the Labour Department, Pondicherry to resolve the following disputes:

(a) Whether the dispute raised by the petitioner Thiru S. Selvam against the management of M/s. Superfill Products Limited, Puducherry, over non-employment is justified or not?

(b) To what relief, he is entitled to?

(c) To compute the relief, if, any awarded in terms of money, if it can be so computed?

2. The industrial dispute was taken on file on 11-12-2007. Both sides filed Form-F on 11-1-2008 and the case was posted to 13-3-2008 for filing claim statement. Thereafter the case was adjourned for about 24 (twenty-four) hearings on the following dates: 5-6-2008, 31-7-2008, 30-9-2008, 8-12-2008, 23-12-2009, 5-2-2009, for filing of claim statement and to 19-3-2009, 23-4-2009, 11-6-2009, 16-7-2009, 23-7-2009, 6-8-2009, 10-9-2009, 22-10-2009, 26-11-2009, 10-12-2009, 17-12-2009, 7-1-2010, 21-1-2010, 4-2-2010 for filing of counter and to 11-2-2010, 25-2-2010, 4-3-2010, 11-3-2010 for enquiry. The industrial dispute is pending for two years and two months from 11-1-2008 to 11-3-2010. Despite sufficient opportunities given, no representation was made on behalf of the petitioner. This shows that the petitioner has lost interest in the matter and there is no point in having the case pending on file and the industrial dispute is liable to be dismissed.

3. In the result, petition is dismissed.

Typed to my dictation, corrected and pronounced by me in the open court on this the 11th day of March 2010.

E.M.K.S. SIDDHARTHAR,
II Additional District Judge,
Presiding Officer,
Labour Court, Pondicherry.

**GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT**

(G.O. Rt. No. 146/AIL/Lab./J/2010, dated 5th July 2010)

NOTIFICATION

Whereas, the Award in I.D. No.19/2008, dated 11-3-2010 of the Labour Court, Puducherry in respect of the industrial dispute between the management of M/s. Chemfab Alkalis Limited, Puducherry and Thiru A. Jairaj, over non-employment has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read with the notification issued in Labour Department's G.O. Ms. No. 20/91/Lab./L, dated 23-5-1991, it is hereby directed by Secretary to Government (Labour) that the said Award shall be published in the official gazette, Puducherry.

(By order)

G. MALAR KANNAN,
Joint Secretary to Government (Labour)

BEFORE THE LABOUR COURT (II ADDITIONAL DISTRICT JUDGE) AT PONDICHERRY

Present : Thiru E.M.K.S. SIDDHARTHAR, M.A., B.L.,
II Additional District Judge,
Presiding Officer, Labour Court,
Pondicherry.

Thursday, the 11th day of March 2010.

I.D. No. 19/2008.

A. Jairaj,
No.49, Needarajapier Street,
(Upstairs), Pondicherry-1 .. Petitioner.

Versus

The Managing Director,
M/s. Chemfab Alkalis Limited,
Gnananandha Place,
Kalapet, Puducherry .. Respondent.

This industrial dispute coming on this day for hearing before me the petitioner and his counsel Thiru B.Mohandass, called absent, Thiru G. Krishnan, Advocate for the respondent, upon hearing and after perusing the case records, this court passed the following :

ORDER

This industrial dispute has been referred to this court by the Government of Pondicherry, *vide* G.O. Rt. No. 98/ AIL/J/2008, dated 19-6-2008 of the Labour Department, Pondicherry to resolve the following disputes:

(a) Whether the dispute raised by Thiru A. Jairaj against the management of M/s. Chemfab Alkalis Limited, Puducherry, over his non-employment is justified or not?

(b) To what relief, Thiru A.Jairaj is entitled to?

(c) To compute the relief, if, any awarded in terms of money, if it can be so computed?

2. The industrial dispute was taken on file on 23-6-2008. Both sides filed Form-F as early as 25-7-2008 and the case was posted to 25-9-2008 for filing claim statement. Thereafter the case was adjourned for about 17 (seventeen) hearings on the following dates: 3-12-2008, 29-1-2009, 5-2-2009, 19-3-2009, 30-4-2009, 16-7-2009, 23-7-2009, 6-8-2009, 10-9-2009, 22-10-2009, 12-11-2009, 3-12-2009, for filing of claim statement and to 24-12-2009, 21-1-2010, 4-2-2010, 25-2-2010, 4-3-2010 for appearance of the petitioner and finally dismissed the petition on this day. Unfortunately the petitioner is a labour, who claims to have been

victimised by the respondent company, but the petitioner shows no interest in proceeding with the case and has not appeared before court till now. On the other hand he has exceeded the time limit stipulated under the Industrial Disputes Act. The industrial dispute is pending for 1 year 8 ½ months (one year eight and a half months) from 23-6-2008 to 11-3-2010. Despite sufficient opportunities given, the petitioner did not choose to appear before court. This shows that the petitioner would have got employment in some other company and hence has lost interest in the matter. Further, the Industrial Disputes Act, requires that a dispute should be resolved within 6 months (six months). Hence this court finds that there is no point in having the case pending on file and the industrial dispute is liable to be dismissed.

3. In the result, petition is dismissed.

Typed to my dictation, corrected and pronounced by me in the open court on this the 11th day of March 2010.

E.M.K.S. SIDDHARTHAR,
II Additional District Judge,
Presiding Officer,
Labour Court, Pondicherry.

**GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT**

(G.O. Rt. No. 147/AIL/Lab./J/2010, dated 5th July 2010)

NOTIFICATION

Whereas, the Award in I.D. No. 15/2008, dated 11-3-2010 of the Labour Court, Puducherry in respect of the industrial dispute between the management of M/s. Tidal Laboratories Private Limited, Chennai and Centre of Indian Trade Union over non-payment of full and final settlement of dues to Thiru T. Balamurugan has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read with the notification issued in Labour Department's G.O. Ms. No. 20/91/Lab./L, dated 23-5-1991, it is hereby directed by Secretary to Government (Labour) that the said Award shall be published in the official gazette, Puducherry.

(By order)

G. MALAR KANNAN,
Joint Secretary to Government (Labour)

BEFORE THE LABOUR COURT (II ADDITIONAL DISTRICT JUDGE) AT PONDICHERRY

Present : Thiru E.M.K.S. SIDDHARTHAR, M.A., B.L.,
II Additional District Judge,
Presiding Officer, Labour Court,
Pondicherry.

Thursday, the 11th day of March 2010.

I.D. No. 15/2008.

The President/Secretary,
Centre of Indian Trade Union (CITU)
No. 42, Cuddalore Road,
Bharathi Mill Thittu,
Mudaliarpet,
Puducherry-605 004 . . Petitioner.

Versus

The Managing Director,
M/s. Tidal Laboratories Private Limited,
E.113, 16th Cross Street,
Beasant Nagar, Chennai - 600 090 . . Respondent.

This industrial dispute coming on this day for hearing before me the petitioner and his counsel called absent, M/s. Law Solvers Advocates for the respondent, upon hearing and after perusing the case records, this court passed the following:

ORDER

This industrial dispute has been referred to this court by the Government of Pondicherry, *vide* G.O. Rt. No. 92/ AIL/J/2008, dated 6-6-2008 of the Labour Department, Pondicherry to resolve the following disputes:

(a) Whether Thiru T. Balamurugan is a workmen of M/s. Tidal Laboratories Private Limited, Chennai or not?

(b) If yes, whether the dispute raised by CITU against the management of M/s. Tidal Laboratories Private Limited, Chennai, over non-payment of full and final settlement of dues to Thiru T. Balamurugan is justified or not?

(c) To what relief, Thiru T. Balamurugan is entitled to?

(d) To compute the relief, if, any awarded in terms of money, if it can be so computed?

2. The industrial dispute was taken on file on 11-6-2008. Form-F for the respondent was filed on 4-6-2009. Thereafter, the case was posted for appearance of the petitioner adjourning to about 15 (fifteen) hearings on the following dates from 4-6-2009, 9-7-2009, 23-7-2009, 6-8-2009, 10-9-2009, 22-10-2009, 26-11-2009, 10-12-2009, 17-12-2009, 21-1-2010, 4-2-2010, 18-2-2010, 25-2-2010,

4-3-2010 and 11-3-2010. The petitioner shows no interest in proceeding with the case and has not appeared before court till now. On the other hand he has exceeded the time limit stipulated under the Industrial Disputes Act. The industrial dispute is pending for one year and eight months from 11-7-2008 to 11-3-2010. Despite sufficient opportunities given, the petitioner did not choose to appear before court. This shows that the petitioner has lost interest in the matter. Further, the Industrial Disputes Act, requires that a dispute should be resolved within 6 months (six months). Hence this court finds that there is no point in having the case pending on file and the industrial dispute is liable to be dismissed.

3. In the result, petition is dismissed.

Typed to my dictation, corrected and pronounced by me in the open court on this the 11th day of March, 2010.

E.M.K.S. SIDDHARTHAR,
II Additional District Judge,
Presiding Officer,
Labour Court, Pondicherry.

**GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT**

(G. O. Ms. No. 26, dated 8th July 2010)

NOTIFICATION

The Lieutenant-Governor, Puducherry is pleased to declare 20th August 2010 (Friday) as Restricted Holiday on account of Veerampattinam Car Festival instead of 13th August 2010 already declared in this department's G. O. Ms. No. 55, dated 27-11-2009.

(By order)

L. KUMAR,
Joint Secretary to Government .

**GOVERNMENT OF PUDUCHERRY
OFFICE OF THE CHIEF EDUCATIONAL OFFICER**
No.650/CEO/S1/Exam./2010-11.

Puducherry, the 8th July 2010.

NOTIFICATION

It is hereby notified that the original S.S.L.C. Mark Certificate, bearing Register Number 487733 of March 2003 in respect of P. Subrayan, an ex-pupil of Jawahar English High School, Koodapakkam, is reported